[Shri M. M. Jacob]

very good. Let the Members who can speak today be allowed to speak and the remaining Members can speak tomorrow ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Because the matter is serious, we have 32 Members who want to speak on the subject. So till 4 o'clock we will continue and later we discuss the Railway Budget for 45 minutes and then we adjourn. That is what I want to make clear...(*Interruptions*)...

SHRI VISHVJIT P. SINGH: I am very grateful to you Madam...(*Interruptions*)...

THE DEPUTY CHAIRMAN: After a long time you have come to the House to be grateful:...(*Interruptions*)... Now, the Minister of Home Affairs, Mr. S. B. Chavan, to make a statement.

STATEMENT BY MINISTER

Escape from custody and subsequent death of ShriShanmugam, one of the accused in the Rajiv Gandhi assassination case

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): Madam Deputy Chairman, I rise to apprise this House of the escape from custody and subsequent death of Shri Shanmugam, an accused in the Rajiv Gandhi assassination case, arrested by the Special Investigation Team (STT).

2. In pursuance of the consent given by the Government of Tamil Nadu for C.B.I. to investigate the case of Shri Rajiv Gandhi's assassination, a Special Investigation Team was formed on 24-5-1991. It has made significant progress in the case and 14 accused have been arrested so far.

3. One of those arrested was Shri N. Shanmugam, S/o Nagaraja Pillai of Kodiakadu of Thanjavur District, Tamil Nadu. As per the information received from C.B.I., Shri Shanmugam was a well-known smuggler and was found to have been helping LTTE elements with shelter, concealment of materials like explosives, transmitters, POL, etc. Further, his men reportedly helped to arrange for reception, accommodation and transport on the day of landing of the killer group including Thanu. Shri Shanmugam was arrested by the SIT on 17-7-1991 after he had surrendered himself to the local police. He was produced before the Special Additional Session Judge, Madras on 18-7-1991 and 30 days of police remand obtained.

4. While in the custody of the SIT, Shri Shanmugam volunteered to disclose the place where transmitters, high explosives and other materials of LTTE were hidden. He was accordingly taken by a small group of CBI officers to Vedaranyam on 18-7-91 and at his instance buried and concealed material was recovered which included wireless sets of LTTE, huge quantities of explosives, cans of petrol etc. The recovery was a night-long operation at Kodiakadu reserve forest from 5.00 PM on 18-7-91 to 9.00 AM on 19-7-91. Shri Shanmugam was brought to the inspection bungalow, Vedaranyam at 3.00 PM on 19-7-91 and the investigation was continued. At 9.45 PM Shri Shanmugam was given food, after which he went outside to wash his hands. While washing hands he ran and escaped under cover of darkness. At that time, 2 local police Constables were guarding Shanmugam, while 1 Dy. S.P. and 3 Inspectors of the C.B.I were present in the room from where he went out. The 2 Constables raised an alarm and everyone present there went out at once to chase the accused. The DIG and S.P., CBI, who were present in the adjoining room also joined the chase. The local police and CRPF also took part in the search, but in vain. At 10.45 PM on 19-7-91, a case was registered at Police Station Vedaranyam under Section 224 IPC and investigation was taken up.

5. The white Dhoti and white Baniyan of Shri Shanmugam were found abandoned in a dry canal a little away from the Inspection Bungalow.

6. On 20-7-91, the body of Shri Shanmugam was found hanging from the branch of a tree by means of a rope with saliva dripping from the corner of the mouth. There was also fresh stains which looked like semen stains on the underwear and a blue lungi was found around the feet. The body was first seen by Shri Raj Kumar, Village Administrative Officer and was reported to the Inspector of Police, Vedaranyam at 0600 hours on 20-7-1991. On his report, Vedaranyam Police Station registered a case vide No. 451/91 under Section 174 of Cr. P.C. No marks of injury were found on the body during the inquest held by the Revenue Divisional Officer, Mannargudi. The inquest was conducted in the presence of local Panchayatdars, the Uncle of the deceased and two of his lawyers. The postmortem was conducted by a team of doctors at Government Hospital, Nagapattinam where the body of the deceased was brought from Vedaranyam. The inquest report and the postmortem report are still awaited. The report of tht postmortem examination has been reserved, pending Chemical Analysis of Viscera. After postmortem, the body was handed over to the relations. It was cremated on 21-7-1991 at Vedaranyam around 4.07 P.M.

7. Government views this incident with concern and is determined to get at the root of this incident on the one hand, and on the other to ensure that the main investigation into the assassination of Shri Rajiv Gandhi continues to be pursued vigrorously and taken to its logical conclusion. With these ends in view, I personally visited Madras and Sriperumbudur on the 22nd and 23rd July, saw things for myself, held discussions with all concerned in Tamil Nadu.

8. A Magisterial inquiry has been ordered under Section 176 Cr. P.C. CBI has ordered an inquiry by an Additional Director into the circumstances leading to this escape from custody and to fix responsibility. Action would be taken on receiving the report.

9. The State administration has been directed to expedite the report of postmortem and examination of the viscera by the Chemical examiner, which are necessary to determine the cause of death.

10. I would like to assure this honourable house that all that is possible will be done to reach the final conclusion in investigation as early as possible.

11. I have now been informed that the Forensic Science Laboratory, Madras has given its finding that the viscera of shanmugam did not contain any poisonous substance. This report is being sent to the Thanjavur Medical College where the post-mortem was conducted by a panel of three doctors. These three doctors are now to submit their verdict on the post-mortem.

SHRI VISHVJIT P. SINGH (Maharashtra): Madam Deputy Chairman, members of this House across the political spectrum have been viocing their apprehensions over this investigation. We have repeatedly asked for changing of the terms of reference of the Inquiry Commission to include the process of investigation only because we apprehended that the course of investigation would not be smooth. We find, Madam, that not only has it been not smooth, but today when the hon. Home Minister was to make his statement and I was under the impression that it was going to be a comprehensive statement but far from being a comprehensive statement dealing with various aspects of the investigation conducted by the SIT it limits itself to the one incident which is at present exciting everybody, which is the death of Shanmugam in mysterious circumstances—and circumstances which are shown to be even more mysterious by the statement given by the hon. Home Minister. Therefore, I do not wish to get involved in the rest of the investigation. I will not comment on who has been arrested and who has not been arrested, on the course of investigation, the way we have become the laughing stock of the world and in the manner in which the investigation is being conducted. I will not go into that. The hon. Minister has said that but he did not mention the rest of it. He has mentioned in para 3:

> "Shri Shanmugam was arrested by the SIT on 17-7-1991 after he had surrendered himself to the local police."

[Shri Vishvjit P. Singh]

He had voluntarily surrendered himself to the police. He was helping the police in its investigation. He was the prime witness because he was coming out with information. For the first time the SIT was getting information which it had not got before. Is it not a fact, Mr., Home Minister, that de had expressed apprehensions for his own safety? This is my first question. Didn't Mr. Shanmugam express fears for his own safety at the time when he surrendered himself? And was it not the duty of the police, specifically the SIT, to protect his life? What care was taken to protect him? I would like to know this from the Home Minister.

Secondly, Shanmugam is taken to various areas to conduct search and seizure. And he is not taken by road; he is not taken by rail. He is taken by helicopter, because it is considered unsafe for him to travel in any other way. He is taken by helicopter to Vedaranyam. He is guarded and taken. And then what happens? As the hon. Home Minister has said, he escapes into the darkness. The hon. Home Minister's statement says that at that time 2 local police Constables were guarding Shanmugam, while one Dy. S. P. and three Inspectors of the CBI were present in the room from where he went out. It was the two local Constables who raised an alarm. In other words, he was not within the eye sight of the Dy. S. P. and three Inspectors of the CBI. It was the local Constables who raised the alarm. And then it is stated that the DIG and S.P., CBI. who were present in the adjoining room also joined the chase. According to the hon. Home Minister, they are also informed and then everybody joins the search. They carry on the search immediately after 9.45 after he is supposedly escaped till 10.45, and then a case is registered. And next morning, at 6 a.m., in the same area of Vedaranyam his body was found hanging from a tree. What the hon. Home Minister has omitted from his Statement is: where was this banyan tree? I would like to know from the hon. Home Minister the exact location of this banyan tree in relation to the inspection bungalow where Shanmugam was first taken.

SHRI P. UPENDRA (Andhra Pradesh): Two kilometres.

SHRI VISHVJIT P. SINGH: I would like to know from the hon. Home Minister the distance. And I would also like to know the location. Was it in a public place? Was it in a place which is supposedly guarded by the police? (*Time bell rings*) I am just concluding, Madam.I am about to conclude. The hon. Home Minister has just now added to the statement which has been circulated because the statement which has been circulated differs from the statement made by the hon. Home Minister in that there are certain changes and additions towards the end *when he talks about the postmortem report* and viscera report. In fact, there was no need to wait for the viscera report, to get the postmortem report because if he had died by hanging, it would have been quite clear from the postmortem that he died by hanging, and that could have been available with the hon. Home Minister. And now when the Government works with all kinds of electronic machines, I do not see why you cannot get the postmortem report immediately. And before the Home Minister replies tomorrow, I urge upon the hon. Home Minister through your medium, Madam Deputy Chairman, that he must take the House into confidence and disclose the contents of the postmortem report. I would be extremely grateful to the hon. Minister if he would do so.

Lastly, Madam, to come to my last question, the hon. Home Minister says, "CBI has ordered an enquiry by an Additional Director into the circumstances leading to this escape from custody and to fix the responsibility. Action would be taken on receiving the report." Madam Deputy Chairman, it is amazing. It is said, 'to fix the responsibility for the escape.' Fix the responsibility on whom? It is quite clear from the statement of the hon. Home Minister as to who were the people present. We do not know the names. But we do know that there was a DIG, there was an SP of the CBI. There was one Dy. S.P. and three Inspectors of the CBI. And I say this with some responsibility that the very least the hon. Home

Minister can do is to suspend all these officials. This is the very least that can be done. Let us find out from them what really happened. Expand the terms of reference of the Commission of Inquiry. Set up a new investigation cell within the ambit of the Commission of Inquiry. Hand over these officers to that team. And we shall come to know the truth, Madam. Thank you.

THE DEPUTY CHAIRMAN: Shri A. G. Kulkarni.

SHRI G. SWAMINATHAN (Tamil Nadu): Madam, if the speeches are made like this, then we can have a special discussion because as many Members can *participate by allowing them...*

THE DEPUTY CHAIRMAN: Never mind. It is an issue on which the Members are agitated. Let them say what they like.

SHRI G. SWAMINATHAN: Then we have a special discussion on this. You allow the Members to have clarifications. Otherwise, it will become a discussion. Then you allow a separate discussion for the same.

THE DEPUTY CHAIRMAN: Please, your time will also come. Let Mr. Kulkarni speak. *(Interruptions)*

SHRI A. G. KULKARNI (Maharashtra): Madam, hanging by Mr. Shanmugam and laxity of naturally the police investigator in this affair are shameful. We ourselves feel that late Shri Rajiv Gandhi—such a charismatic personality—was done away by some type of a bomb newly invented in this country for the first time. And everybody thought that the Home Ministry would have taken proper care in the investigation. I don't blame the Home Minister because ultimately it is a process. Madam, I want to know from the Home Minister whether it is a fact that there are various views expressed over the incident. What I don't understand is, you have not brought in your statement, the view which has been expressed of LTTE invlovement in killing of Mr. Shanmugam. I want to know whether it is a fact because as my friend has rightly pointed out, Mr. Shanmugam was the key figure in supplying information to the SIT. Because I only read from the newspapers and when I myself started thinking what might have happened, I thought, naturally as we know in our villages when there is a murder, even the witnesses are done away with so that there should be no case justifiable. So, in this connection, I want to know from the Home Minister whether there is any LTTE involvement in getting Mr. Shanmugam out of that hall after taking his food and taking him away as fast as possible. Then there were two constables, as your statement said, in the adjoining room. I do feel that they have been more *callous and more irresponsible because* when a person of the importance of Mr. Shanmugam is involved, who is helping the SIT to give more information, they should have given him food in their presence. Why should they go to the adjoining room unless they wanted to have some booze? I don't understand. These are simple matters. This is serious that the DIG and other high officials should have permitted two ordinary constables to be with Mr. Shanmugam on the pretext of washing hands. This was a bungalow, as they said. There must have been a bathroom in the bungalow. I do not know the location. Bathroom might be there. But they went out.

Then, Madam Deputy Chairman, I suspect deeply the involvement of LTTE. I request, through you, the Home Minister that he should advise the Tamil Nadu Government that since LTTE presence is very much there in Tamil Nadu, they should take all care to see that the person connected with or who is supposed to cooperate with the SIT is not done away with. We know how this 'village' logic is managed. Then, Madam, really I have my own doubts about the competence of the CBI or the SIT or for that matter even the Special Protection Group. It seems ultimely God is our protector, not the SPG or the CBI.....

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): Always God is our protector.

SHRI A. G. KULKARNI: Mr. Home Minister, this is a case of such world-wide importance showing the failure of our own people. It is of world wide importance because of the personality of late Rajiv Gandhi and failure is our own. Our own people have failed. Whether they are in league with the LTTE, I don't know. Madam, I may not have a loud voice; I may not have that lung power to express my concern. But I can say that all the people in the country, all the men and the women in this country, all the politicians, who had so much concern for Rajiv Gandhi, have now the similar concern for Madam Gandhi and her children. I may not have a loud voice; it is no use mentioning the name of Gandhi at every bit of time. But I would request you, Mr. Home Minister, to realise that the competence of this Government depends on protecting the family of Rajiv Gandhi because they are the treasure of this country. Don't believe in this SPG or whatever these cats and the mouses are for; I don't believe in them. I would request you not to hassle them. They are in a state of grief. We can very well imagine the pangs of grief which we experience when there is a death in our own family. I request the Government to realise that LTTE is very much there in Tamil Nadu and they may be planning to execute more witnesses in that area and also in other places in the country. Their plan was unfolded some time back of doing away with some of the national leaders, and that would have been a matter of the greatest shame for ourselves.

श्री सुरेन्द्र सिंह ठाकुर (मध्य प्रदेश): आदरणीय उपसभापति जी, बहुत दुख की बात है कि हम जिस जांच दल से अपेक्षा कर रहे थे कि वह पूरी क्षमता के साथ इंक्वायरी करेगा और न केवल हत्यारे, बल्कि हत्यारों के पीछे जो साजिस करने वाले लोग थे, उनकी भी पहचान करके इस देश के समक्ष उसको प्रस्तुत कर सकेंगे, ऐसी उस जांच दल से अपेक्षा थी । लेकिन दुख की बात है कि इतने कम समय में जबकि राजीव गांधी जी की चिता की अग्नि भी शांत नहीं हुई है, इस जांच दल ने ढीलापन दिखाना शुरु कर दिया है और सरेआम—— और ऐसा भी नहीं कि वह सो रहे थे जागते हुए पुलिस आफिसर्ज के सामने से, शानमुगम जैसा एक शातिल बदमाश, जो कि उस साजिश में शामिल था । भागने में सफल हो सका है । मैं आप के माध्यम से मंत्री महोदय से जानना चाहता हूं कि जब वह हाथ धोने गया बंगले के बाहर तो कोई भी पुलिस कांस्टेबल उसके साथ क्यों नहीं गया ? यहीं से पहला प्रश्न शुरु होता है कि जबकि उसका रिकार्ड साफ-सुथरा नहीं था, पुराना तस्कर रहा है यह आपने कहा है कि पुलिस की जानकारी में था तो पुलिस साथ में क्यों नहीं गई ? वैसे बंगले में ही वाशबेसन होना चाहिए था वह क्यों नहीं था ? जब पुलिस जाग रही थी तो वह उसके साथ क्यों नहीं गई ? इसमें यह उल्लेख नहीं है कि वह हथकड़ी पहने हुए था या नहीं जब वह बाहर हाथ धोने गया परन्तु अखबारों में यह चीज आई है कि वह हथकड़ी पहने हुए नहीं था । मैं यह पूछना चाहता हूं कि जब वह इतना बड़ा बदमाश था तो उसे बिना हथकड़ी क्यों रखा गया ? तीसरे मैं यह जानना चाहता हूं कि जब वह फांसी लगी हुई हालत में पाया गया तो किस चीज से फांसी लगी हुई थी——रस्सी से या किसी कपड़े से ? जैसा विश्वजीत सिंह जी ने पूछा कि जिस पेड़ पर वह फांसी पर लटका हुआ मिला वह पेड़ उस बंगले से कितनी दूर पर है ?

आपने स्टेटमेंट में कहा है कि 20 तारीख की सुबह 6 बजे वह पेड़ पर लटका हुआ मिला है । उसके शरीर की पोस्टमार्टम के बाद 21 तारीख को उसकी अंत्येष्टि कर दी गई लेकिन आज 24 तारीख हो गई है इसमें लिखा है अभी तक उस पोस्टमार्टम की रिपोर्ट नहीं आई । तीन दिन के बाद भी आज तक पोस्टमार्टम की रिपोर्ट गृह मंत्रालय को प्राप्त नहीं हुई है यह मेरी समझ में नहीं आता है । मैं मंत्री महोदय से निवेदन करूंगा कि इस विषय को पूरी गम्भीरता से लें क्योंकि हम को इसमें बड़ा षड़यंत्र नजर आता है । मैं तो यह मांग करूंगा कि उन सारे अधिकारियों, सिपाहियों का टर्मिनेशन किया जाए ।

इस मुद्दे पर कोई ढील न दिखाई जाए, ऐसा मेरा निवेदन है ।

मुझे मालूम हुआ है अभी-अभी और आप इसको कन्फर्म भी करेंगे कि तमिलनाडु की सरकार को अलग से स्पेशल ऐड पुलिस के मार्डनाइजेशन के लिए दी गई है तो कितने करोड़ रुपये इसके लिए दिये गये हैं यह मंत्री महोदय बताने की कृपा करें । सी बी आई के जो अधिकारी हैं उनमें से कितने ऐसे वरिष्ठ अधिकारी हैं जिनके खिलाफ खुद कार्रवाई चल रही है ? क्योंकि आये दिन अखबारों में आता रहता है कि सी बी आई के वरिष्ठ अधिकारियों के खिलाफ भी इस प्रकार के मामले चल रहे हैं । हमारी शंका इस तरफ भी उठती है । कृपया इन सब प्रश्नों का उत्तर देने का कष्ट करें ।

श्री शंकर दयाल सिंह (बिहार) : महोदया, राजीव गांधी की हत्या की गम्भीरता से पूरा देश वाकिफ है, पूरा सदन इसके लिए मर्माहत रहा है । मुझे दुख है तो इस बात के लिए कि सरकार के द्वारा जो भी जांच कार्य चल रहे हैं वे संदेहास्पद से भी हास्यास्पद होते चले जा रहे हैं । हम लोग जो आज यहां विपक्ष में बैठे हुए हैं हमारी पूरी सहानुभूति, जो कुछ भी जांच कार्य जिस गम्भीरता से हो, उसके साथ है । बहुत गम्भीरता के साथ उसमें हमारी शिरकत है लेकिन सबसे पहले मैं गृह मंत्री जी से यह जानना चाहता हूं कि क्या उन के दल के लोगों का विश्वास अभी तक सरकार के कार्य के प्रति है ? यदि नहीं है तो मैं उनसे यह अनुरोध करना चाहूंगा कि यह सरकार सदन को तथा अपने दल के सदस्यों को विश्वास में ले जिससे यह जांच कार्य सही रूप से अंजाम पा सके । उपसभापति जी, जो स्टेटमेंट हमारे बीच वितरित किया गया है उससे कई सवाल नजर आते हैं, लेकिन माननीय गृह मंत्री महोदय ने स्वयं यह कहा है कि वे 23 तारीख को गए थे । वहां उन्होंने उन जगहों का निरीक्षण किया और लोगों को इस बात के लिए चेतावनी दी कि जांच कार्य ठीक से चले, इसलिए मैं माननीय गृह मंत्री महोदय से एक तो यह जानना चाहूंगा कि शनमुगम, जिसके बारे में अभी मेरे पूर्व वक्ता सुरेन्द्र सिंह जी कह रहे थे कि जब वह हाथ धोने गया तो उसके साथ पुलिस वाले क्यों नहीं गए ? उसे क्यों छोड़ दिया गया जबकि इसमें लिखा है कि दो स्थानीय पुलिस शनमुगम की पहरेदारी कर रहे थे । मैं मंत्री जी जानना चाहता हूं कि जो भी पुलिस अधिकारी उसकी देख रेख के लिए थे, वह मुअत्तिल हुए या नहीं ? मुअत्तिल होने के साथ उनको एरेस्ट किया गया या नहीं किया गया क्योंकि इसमें सबसे पहले हमारा ध्यान उनके ऊपर जाता है । इसमें कोई भी व्यक्ति जोकि जांच कार्य में माहिर न हो वह भी जान जाएगा कि शनमुगम के साथ जो लोग मिले हुए थे, उन्होंने उसे भागने में मदद की या जानबूझकर उसे छुट्टा छोड़ दिया । दूसरी बात, जैसी कि अखबारों में आयी है और आपके इस बयान में है कि उसकी लाश अपने घर में रस्सी से लटकी पायी गयी । महोदया, इस बयान को आपने अंग्रेजी में पढ़ा होगा, हिंदी में नहीं पढ़ा होगा । यह आपने अच्छा किया कि हिंदी में नहीं पढ़ा उसका वर्णन जिन लफ्जों में अनुवाद के रूप में दिया गया है, वह इस सदन में पढ़ने योग्य नहीं है । मैं आपसे केवल यह कह रहा हूं कि आप उसको पढ़कर तसदीक करने की कोशिश करें । इसमें उसके अंडरवियर का वर्णन, धब्बों का वर्णन—कई तरह की बातें इस तरह से लिखी हैं कि जिससे पता चलता है कि किस तरह का अनुवाद आ रहा है । लेकिन महोदया, मैं सरकार से जानना चाहता हूं, गृह मंत्री स्वयं गए तो क्या अब तक सरकार ने या मंत्री महोदय ने तसदीक की कि उसने आत्महत्या की या उसकी हत्या की गयी ? इसमें जो सरसरी तौर पर बात सामने आती है, उससे लगता है कि वह आत्महत्या नहीं हो सकती । उसकी हत्या करके उसे रस्सी से लटकाया गया और उसको इस रूप से चित्रित किया गया कि लोग इसे आत्महत्या समझें। इसमें जिस तरह से इसका वर्णन दिया है उससे भी लगता है कि वह आत्महत्या नहीं, हत्या है । तीसरी बात, मैं गृह मंत्री महोदय से इस संबंध में यह कहना चाहूंगा कि जब वह व्यक्ति इतना बड़ा तस्कर था, इतना बड़ा अपराधी था और आपने स्वयं अपने इस बयान में कहा है कि श्री एन० शनमुगम पुत्र नागराज

[श्री शंकर लयाद सिंह]

पिल्लै, तमिलनाडु के थनजाउर जिले के कोडियाकाड गांव का था। केन्द्रीय जांच ब्यूरो से प्राप्त सूचना के अनुसार श्री शनमुगम एक नामी तस्कर था और उसे लिट्टे उग्रवादियों को शरण देकर विस्फोटक ट्रांसमीटर्स, पी ओ एल जैसी सामग्री को चोरी-छिपे उनके पास पहुंचाकर मदद करते हुए पाया गया। तो मैं सरकार से जानना चाहूंगा कि इतने बड़े शातिर अपराधी और तस्कर जिसका कि नाम वहां के रिकार्ड में था उस के ऊपर पहले से निगरानी क्यों नहीं की गयी और पकड़ने के बाद उसे इस तरह से क्यों छूट दी गयी। अंतिम बात मैं बड़े आदर के साथ कहना चाहूंगा कहीं यह न समझें कि मैं यह कहना चाहता हूं इन सारी चीजों में इस तरह के शक की गुंजाइश है कि श्री राजीव गांधी की हत्या की जांच जितनी गंभीरता से होनी चाहिए उतनी गंभीरता से न होकर हम कहां जा रहे हैं? राजीव जी की हत्या की जांच करते-करते हम एक शातिर अपराधी जोकि इसमें लीन था उसकी हत्या या आत्म हत्या की जांच में पड़ गए हैं। इस सदन के सामने मुददा जो विचारणीय है और जिस पर हम विचार कर रहे हैं और जिस पर गृह मंत्री महोदय ने यह स्टेटमेंट दिया है, यह राजीव गांधी जी की हत्या की जांच का स्टेटमेंट नहीं है। उनकी हत्या में जो सबसे बडा अपराधी था, जिसको जिंदा रहना चाहिए था, उसकी हत्या या आत्म-हत्या के बारे में सदन में आज चर्चा हो रही है। तो मैं कहना चाहता हूं कि इस तरह की घटनाएं आगे न घटें... और इसलिए सरकार से अनुरोध करना चाहूंगा कि इसे प्रतिष्ठा का मामला न बनाकर सदन की भी एक जांच-समिति नियुक्त होनी चाहिए, इन चीजों की जांच के लिए। मैं यह मांग करता हूं। श्री राजीव गांधी जी की हत्या के बारे में सारे जो शक सदन में आ रहे है और दोनों सदन इसको लेकर चिंतित हैं और कई तरह के सवाल भी उठे हैं, जस्टिस वर्मा के टर्मस और रेफरेन्स में भी सवाल यहां उठा, तो इन बातों को देखते हुए क्या सरकार यह न्यायोचित और उचित नहीं समझती है कि सदन की भी एक जांच-समिति बने, जो कि निष्पक्ष रूप से जांच करके देश के सामने सही मामले को लेकर आए। धन्यवाद।

SHRI G. SWAMINATHAN: Madam Deputy Chairman, considering the gravity of the case, the hon. Home Minister visited Tamil Nadu on 22nd and 23rd of this month. I want to raise some points regarding his Tamil Nadu visit about which we feel sorry and thereafter I will come to the points of the issue of Shanmugham.

THE DEPUTY CHAIRMAN: You confine yourself to the statement only.

SHRI G. SWAMINATHAN: Madam, this is important because he came there in connection with this case and that relates to the Tamil Nadu Government.

The hon. Home Minister gave a programme to come to Tamil Nadu. He informed that he will be coming by regular flight IC 504. When he came and alighted from the flight IV 504, Shri Selvaganapati, Housing Minister, Tamil Nadu, as sent there by Tamil Nadu Government. The Home Secretary, DGP of Tamil Nadu, various police officers and dignitaries were present. Of course, the SIT I.G. Shri Kartikeyan was also there and also another retired official was there. When the Home Minister came, there was no time for him to talk to any of the State officers, nor to the Minister concerned. I understand, thereafter he went to the Raj Bhavan. It was about 11 o'clock. They also followed him to the Raj Bhavan. There also they could not find time to talk to the hon. Home Minister. They all left and the next day morning all our police officers again went to the Raj Bhavan. The hon. Home was having breakfast Shri Kartikevan and another CBI official were also having discussion over breakfast. Immediately, the hon. Home Minister proceeded to call on His Excellency the Governor. After meeting the Governor he boarded his car and proceeded to

the aerodrome for an IAF helicopter. There also there was no talk with any of our officers who had gone to meet him. They were under the impression that he would be going to Kancheepuram and Sriperumbudur and then return to Madras. But inside the helicopter with Shri Kartikayan the hon. Home Minister wanted to go to Vedaranyam. He also mentioned that was the very purpose for which he had come. Naturally, the Home Minister should be interested to find out the situation personally, but then the information could have been passed on to the Tamil Nadu Government. (*Interruptions*). The State Government has to be informed. Otherwise, how can the security be arranged? He wanted to land at Vedaranyam, but the crew told him that it was not possible to land at Vedaranyam. (*Interruptions*). Perhaps they felt that the place was not safe for the Home Minister to land. May be, it was a fit place for Shanmugham to land but not for the Home Minister. He asked the State IG police inside the flight. He explained that he could not motor along the coast to see for himself various security arrangements. Then the information came that hon. Home Minister would go to Kancheepuram and Sriperumbudur and Vedaranyam. The information was conveyed to the Collector of Thanjavur and the Collector of Trichy because all the arrangements had to be made at the last moment. Then the hon. Home Minister went to Trichy and flew over the Vedaranyam coastal area.

Madam, I am raising this matter because the hon. Home Minister is there and the matter does not concern the Central Government only, it concerns both the State Government and the Central Government. When the hon. Home Minister comes to Tamil Nadu, he should have taken into confidence the Tamil Nadu Government. The Chief Minister of Tamil Nadu is also the Home Minister of Tamil Nadu, and the Chief Minister of Tamil Nadu should have been informed.

SHRI VISHVJIT P. SINGH: Madam, I have a point of order. I have heard, with patience, the honourable Member and, Madam, you have shown more than patience. ... (*Interruptions*)... Let me point out here ... ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Let me handle it...(*Interruptions*)... It is a point of order.

SHRI G. SWAMINATHAN: Nobody can prevent me from speaking. I don't agree to it and I don't yield. How can he raise it?

SHRI VISHVJIT P. SINGH: This is not fair. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: It is a ...(*Interruptions*)... It is a point of order. Let me handle it.

SHRI G. SWAMINATHAN: What is the point of order? I am not yielding.

THE DEPUTY CHAIRMAN: Let it be decided by me.

SHRI G. SWAMINATHAN: He is not allowing me to speak.

THE DEPUTY CHAIRMAN: It should be decided by me. So, please take your seat. Let him have his point of order. ... (*Interruptions*).

SHRI VISHVJIT P. SINGH: Madam, my point of order is very simple. We are to seek clarifications on the statement of the honourable Minister.

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): And we are all waiting.

SHRI VISHVJIT SINGH: And the House is excited about it.

Rather than seeking clarifications... (*Interruptions*)...

SHRI G. SWAMINATHAN: Madam... ... (*Interruptions*)...

THE DEPUTY CHAIRMAN: I will allow you.

SHRI G. SWAMINATHAN: I will finish in five minutes' time.

THE DEPUTY CHAIRMAN: I have permitted Mr. Vishvjit Singh. ...(*Interruptions*)... Please keep quite... (*Interruptions*)... I have permitted Mr. Vishvjit Singh. Please take your seat... (*Interruptions*)... I have permitted him. ...(*Interruptions*)... Why repeat it ten times? I have permitted him.

SHRI VISHVJIT P. SINGH: Madam, matters are being raised which are not germane to the statement, matters are being raised about which the honourable Member himself does not have first-hand knowledge, matters are being raised which ought not to be discussed in the House. This is something between the Government of Tamil Nadu and the Home Ministry.

...(*Interruptions*)...

SHRI G. SWAMINATHAN: The only point I am raising is...

...(*Interruptions*)...

THE DEPUTY CHAIRMAN: I have told you right at the beginning that we are short of time. I have got 36 names. ..(*Interruptions*)... Will you please take your seat for one minute? Just when we started the statement you were the one who objected to Mr. Vishvjit Singh making a statement. Now you yourself are going out of the statement. You ask questions on the statement and not anything else. I told you, requested in the beginning itself, to please confine yourself to the statement. There may be many things. About the Home Minister's visit, we are not discussing anything...

SHRI G. SWAMINATHAN: The statement says that the honourable Home Minister visited Madras. That is what the statement says. What I want to know is, why the State Chief Minister, Minister, who is also the Home Minister, has not been taken into confidence at all.

SHRI VISHVJIT P. SINGH: It is borne out by the statement and the honourable Member has said that he visited Madras. ...(*Interruptions*)...

SHRI G. SWAMINATHAN: Why is the Chief Minister not taken into confidence? He doesn't talk to her, the doesn't meet her, he doesn't ask what is the perception of the Chief Minister, he doesn't... ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Order, Please.

SHRI G. SWAMINATHAN: That is what I am raising.

THE DEPUTY CHAIRMAN: I don't know why you are agitated; I do not understand why you should be agitated. The Home Minister is the Home Minister for the Union of India. He has the right to go anywhere he likes. You cannot prevent him from going anywhere. Why are you objecting to it? He can go wherever he likes. ...(*Interruptions*)...

SHRI G. SWAMINATHAN: The Tamil Nadu Police apprehended Shanmugam and handed him over to the SIT and the SIT people let off that man. It is our police who apprehended him. ...(*Interruptions*)...

SHRI MADAM BHATIA: (Nominated): When the investigation is being carried out by the CBI, it is the Home Ministry and the Home Ministry alone which is concerned with this investigation. The State Government does not come into the picture at all. ...(*Interruptions*).

SHRI G. SWAMINATHAN: Who will give protection to the Home Minister? ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Order, order. Please sit down. Take your seat, Mr. Thakur. There is no need to get agitated.

SHRI P. UPENDRA: Madam, the point raised is very serious. Whichever Government is there in Tamil Nadu, whether it is the DMK Government or the AIADMK Government, it is treated with scant respect. That is what he is saying. (*Interruptions*)

THE DEPUTY CHAIRMAN: Just a minute. Take your seat.

SHRI MADAN BHATIA: The CBI is not under the control of the State Government; it is not. This is not the law. (*Interruptions*)

SHRI G. SWAMINATHAN: Who will be responsible? We are concerned about the security of the Home Minister. The Home Minister should take the state Government into confidence. (*Interurptions*).

THE DEPUTY CHAIRMAN: We are not discussing the visit of the Home Minister. The statement is specific about Mr. Shanmugam. I will not permit anything beyond that. You please speak. If you have any objection about his visit, you can write to him directly. But please don't waste the time of the House, please. Please sit down. (*Interruptions*)

SHRI MADAN BHATIA: He can write to the Home Minister. He is just wasting the time.

SHRI G. SWAMINATHAN: I am not wasting the time.

SHRI MADAN BHATIA: It is not a question of whether the the State Government or the Central Government should deal with the subject matter. It is a question of the Home Minister having gone to and out the facts. The investigation is being done by the CBI. The CBI is functioning under the Home Ministry, noot the State Government.

SHRI YASHWANT SINHA (Bihar): The local police is also involved. Who is going to take action against the local constables? The Tamil Nadu Government is going to take action against them. (*Interruptions*)

SHRI G. SWAMINATHAN: If the Tamil Nadu Government does not act. . .

THE DEPUTY CHAIRMAN: Please. At four O'clock the Minister has to go. Mr. Swaminathan, please, if you have any objection about his visit, you may write to him directly. But you cannot take the time of the House to discuss anything under the Sun between Tamil Nadu and the Home Minister. I won't permit that.

SHRI G. SWAMINATHAN: I will make two or three points and conclude.

Regarding the suicide by Mr. Shanmugam, photographs have appeared in the Press. The hon. Minister would have seen the Tamil papers and every photograph that has appeared therein. In the photographs that have been published in the Press, the feet of Mr. Shanmugam are touching the ground. If it is a suicide, his feet cannot touch the ground. There is a 16-feet rope that a found hanging not only from his neck but also touching the ground. How this man can find that 16-feet long rope suddenly at that place, I do not know. This man used to wear a *dhoti*, Suddenly a lungi is found at that place. Who brought that *lungi*, nobody is able to say. At whose place was he hanged? It was not a regular place. It is a ground of another person, who is a notorious smuggler of that place. Who is that person in whose ground in whose area he was hanged? He may be involved.

How did he happen to escape? There should have been somebody around that place. Was nobody keeping a watch around that place? He went to wash his hands. There was no policeman around the place to apprehend him when he tried to escape. How can it hapen? It cannot happen like that.

So, all these things are very suspicious. I want the Home Minister to look thoroughly into it. I think he should take appropriate action in the matter and also take the State Government into confidence and act on this matter.

THE DEPUTY CHAIRMAN: Mr. Home Minister, at what time have you to go?

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): At four O'clock.

THE DEPUTY CHAIRMAN :Now it is two minutes to four O'clock. (*Interruptions*)

[The Deputy Chairman]

If you like, I can ask the Minister of State for Home Affairs to take notes.

SOME HON. MEMBERS: No.

THE DEPUTY CHAIRMAN: Tomorrow?

SHRIMATI JAYANTHI NATARAJAN: Fix the time tomorow, please, Madam, at twelve o'clock. (Interruptions)

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश) मैडम, 12 बजे से शुरु कीजिये और दिन भर चलाइये ।

THE DEPUTY CHAIRMAN: I am not going to add any more names. Whatever list is with me, this is more than enough.

SHRI VISHVJIT P. SINGH: One point. Will the hon. Home Minister bring the report of the post-mortem?

SHRI P. UPENDRA: What about a half-an-hour discussion?

SHRI VISHVJIT P. SINGH: Today only three persons have spoken. If we need to ask one or two very short questions, we may kindly be permitted to ask them.

THE DEPUTY CHAIRMAN: You need not worry about that. You know my indulgence on such issues here. Mr. Upendra, you can ask clarifications. About having a half-an-hour discussion, if you can have that also. This is going to be logner than half an hour.

4.00 P.M.

THE BUDGET (RAILWAYS) 1991-92—Contd.

THE DEPUTY CHAIRMAN: Now, we take up further discussion on the Railway Budget. Mr. V. Gopalsamy.

SHRI V. GOPALSAMY (Tamil Nadu): I would like to straightway come to an important project in Tamil Nadu. This project is facing a peculiar problem and I would like to draw the hon. Minister's attention to this. This project—Karur-Dindigul-Madurai-Manyachi—was sanctioned in the year 1981 and the progress on it has been going on at snail's pace. This year Rs. 16.51 crores have been allotted for this project. The column mentioning actual or expected date of opening has been kept blank. That shows we are not sure when the project will be completed. In this project from, Karur to Dindigul a new broad-gauge line—73.97 kilometres—has already been constructed. That means the first phase is already over. From Dindigul to Madurai—the second phase—it is a parallel line. That means the existing metre-gauge line slao will be maintained and another parallel B.G. line will be constructed from Dindigul to Madurai. That is 64.32 kilometres. That is all right. But the most disturbing aspect is the third phase—conversion of metre-gauge to broad-gauge from Madurai to Maniyachi, which is 127.25 kilometres. This line was constructed by the British. When we are going to have parallel lines from Dindigul to Madurai, why do you want to dismantle the metre-gauge line and construct a broad-gauge line? I belong to that particular area. If you dismantle this metre gauge line from our district Tirunelveli to Madras via Madurai-Dindigul-Trichy and construct a broad gauge line, we will be subjected to a lot of hardships and inconveniences. This is the chord line. If you go in for conversion, then, the passengers would have to get down at Madurai and they have to switch over to another metre gauge train; otherwise from Madurai to Madras via Trichy we cannot travel. That is the metre gauge line up to Dindigul and we are going to have a parallel line. Beyond Dindigul, people coming from Kanyakumari District, Kamaraj district and Tirunelveli District, they would have to get down at Madurai. If they want to go to Madras by chord line, that is, the metre gauge train, they cannot go because only broad gauge line will be there from Madurai to TiOrunelveli. Then, all the passengers would have to get down and they have to switch over to another train by facing a lot of difficulties. The hon. Railway Minister would bear with me if I say, the most foolish design ever made in any Railway project in this line.